

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**UNOPPOSED/AGREED MOTION TO EXTEND MEDIATION DEADLINE,
DEFENDANTS' SUMMARY JUDGMENT REPLY DEADLINE AND
THE PARTIES' JOINT PRETRIAL ORDER DEADLINE**

COME NOW, Defendants Shell Exploration & Production Company and Shell Trading Services Company and file this Unopposed/Agreed Motion to Extend Mediation Deadline, Defendants' Summary Judgment Reply Deadline, and the Parties' Joint Pretrial Order Deadline. In support of this Motion, Defendants show this Court the following:

1. Defendants filed their Motion for Summary Judgment on September 24, 2024 (Dkt. No. 33). Plaintiff's response was initially due on October 24, 2024, but Plaintiff subsequently filed two unopposed motions seeking to extend his response deadline, which the Court granted along with an extension of the mediation

deadline, Defendant's reply deadline and the Joint Pretrial Order deadline (Dkt. Nos. 36-40, 42-43). In its prior Orders, the Court granted Plaintiff until November 8, 2024 to file his response, set the mediation deadline for November 29, 2024, granted Defendants until December 3, 2024 to file their reply, and set the Joint Pretrial Order Deadline for December 6, 2024. (Dkt. Nos. 38, 42, 43). The Parties proposed these dates to the Court with the expectation that they would complete mediation by the November 29, 2024 mediation deadline and have sufficient time to determine if the case would settle or if additional summary judgment briefing and trial preparations were necessary.

2. The Parties were scheduled to mediate the case with Gloria Portela on November 26, 2024, but were informed on November 25, 2024 that Ms. Portela was very ill and would need to reschedule. As a result, the Parties did not complete mediation by the November 29, 2024 deadline, but are working to reschedule with Ms. Portela for some time in the near future.

3. In light of the unexpected delay of mediation, which could resolve some or all of the issues in this case, Defendants request additional time for the Parties to complete mediation, as well as a brief extension of Defendants' Reply deadline from December 3, 2024 to December 13, 2024 and an extension of the Parties' Joint Pretrial Order deadline from December 6, 2024 to January 10, 2025 or January 14, 2025. This additional time will allow the Parties to work with Ms. Portela to set a

new mediation date and mediate the case, which could narrow the issues for trial or make trial unnecessary.

4. The Court may extend summary judgment briefing deadlines for good cause under Federal Rule of Civil Procedure 6(b)(1)(a) and has discretion to extend other pretrial deadlines, including mediation and joint pretrial filing deadlines. As described above, there is good cause for the requested extensions.

5. Defendants' counsel has conferred with Plaintiff's counsel regarding this Motion and Plaintiff agrees to the requested extensions.

6. This request is not made for purposes of delay but rather to promote judicial economy by allowing the parties sufficient time to complete reschedule and complete mediation before completing additional briefing and/or trial preparations, if necessary.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request that the Court grant this Motion as requested.

Respectfully submitted,

/s/ Marlene C. Williams

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CERTIFICATE OF CONFERENCE

I hereby certify that on December 2, 2024 and December 3, 2024, I conferred with Plaintiff's counsel regarding this Motion and they confirmed that Plaintiff is agreed/unopposed.

/s/ Marlene C. Williams

Marlene C. Williams

CERTIFICATE OF SERVICE

The undersigned certifies that, on December 3, 2024, she filed the foregoing *joint motion* with the United States District Court for the Southern District of Texas through the CM/ECF system, such that Plaintiff should be served with a copy of the filed document through his counsel of record.

/s/ Marlene C. Williams
Marlene C. Williams